

Minutes of the regular meeting of the Fairfax City Council on Tuesday, January 13, 2004, at 7:00 p.m., in Council Chambers at Fairfax City Hall.

Members Present:

Mayor Lederer and Councilmembers Cross, Greenfield, Lyon, Rasmussen, Silverthorne and Winter.

Members Absent:

None.

Invocation.

Councilman Greenfield gave the invocation.

Pledge of Allegiance.

Cub Scout Troop #882 led the Council in the Pledge of Allegiance.

Presentations and Proclamations.

Beverly Myers and Janice Miller of the Friends of Fairfax presented a Chocolate Lovers Valentine to the Mayor and members of Council.

The Mayor presented a proclamation to members of the Fairfax Partnership for Youth and the Commission for Women declaring January as National Mentoring Month.

Appointment.

Councilman Greenfield moved appointment of Susan Rutherford as City Clerk. Ms. Rutherford's appointment shall be at the pleasure of the Mayor and City Council.

Councilwoman Cross seconded the motion, which carried unanimously by voice vote.

Adoption of the agenda.

Councilman Silverthorne moved adoption of the agenda.

Councilwoman Lyon seconded the motion, which carried unanimously by voice vote.

Presentations by the public on any item not subject to public hearing.

Ms. Anne Muse, 10451 Courtney Drive, President of the Crestmont community, thanked the Council for acknowledging their issues. Ms. Muse said 79 out of 100 members signed a petition in favor of keeping both roads open and that traffic studies would be useful. Also, noise abatement would be helpful to maintain safe play areas for children and for the walkers residing in the senior home in the community.

The Mayor said Council will have a work session on the topic later in the evening and thanked Ms. Muse for keeping the dialog open.

Ms. Irene Denhardt, 3409 Country Hill Drive, spoke about a water main break in her neighborhood on Saturday, December 20, 2003. Ms. Denhardt thanked Glen Hoagland, Ricky Mullens, Charlie Shillingburg, Kenny Champ, Harvey Reynolds, Gary Andes and Earnie Hawkins of the Water and Sewer Department for their professionalism and always being there.

Ms. Teresa Algie, 9900 Stoughton Road, spoke about her opposition to the proposed asphalt or concrete walkway on the North side of Stoughton Road. Ms. Algie requested Council to consider canceling the project.

Mr. Gerald O'Dell, 3920 Bradwater Street, spoke about the Comprehensive Plan and issues he would address if appointed to the Planning Commission.

Consent agenda.

Councilman Greenfield moved adoption of the following consent agenda:

- Agenda item #7a, Consideration of a resolution authorizing the City Manager to enter into an agreement with the Virginia Department of Transportation (VDOT) for the Fairfax Circle Short Term Improvements Project;
- Agenda item #7b, Consideration of an award of contract to The Louis Berger Group, Inc. in the amount not to exceed \$46,178 for consulting services related to Ratcliffe Cemetery;
- Agenda item #7c, Introduction of an ordinance amending Section 90-332 of the Code of the City of Fairfax, Virginia pertaining to utility taxes;
- Agenda item #7d, Introduction of an appropriation resolution in the amount of \$230,000 for this fiscal year to pay closing costs related to the refinancing of the General Obligation Public Improvement Bonds, Series 1994 and the General Obligation Water Bonds, Series 1994 (the "1994 Bonds"); and
- Agenda item #7e, Introduction of an appropriation resolution in the amount of \$120,000 to hire a transportation consultant to perform Traffic Signal Timing Analysis.

And for agenda items #7a and b, he moved approval of the suggested motion in the staff report and for items #7c, d and e, he moved to waive the first reading and set the public hearings for July 27, 2004.

Councilwoman Cross seconded the motion.

The Mayor asked if anyone wished to abstain or object to any of the items. No one did.

The Mayor called for a vote on the motion, which carried unanimously by voice vote.

Closed Meeting.

The Mayor moved that the City Council convene a closed meeting under Section 2.2-3711.A.1 of the *Code of Virginia* to interview candidates for appointment to the Planning Commission and to discuss appointments to boards and commissions and under Section 2.2-3711.A.3 to discuss acquisition of certain real property for public purposes.

Councilman Silverthorne seconded the motion, which carried by a vote of 7-0, recorded as follows: In favor, Mayor Lederer and Councilmembers Cross, Greenfield, Lyon, Rasmussen, Silverthorne and Winter; opposed, none.

Council went into a closed meeting at 7:25 p.m., and reconvened the meeting at 8:30 p.m.

The Mayor said Council concluded its closed meeting to interview candidates for appointment to the Planning Commission, discuss appointments to boards and commissions and discuss acquisition of publicly held property.

The Mayor moved that each member of Council certify that, to the best of each Council member's knowledge, only public business matters lawfully exempted from the open meeting requirements in the Virginia Freedom of Information Act, and only public business matters identified in the motion convening the closed meeting were heard, discussed or considered.

Councilman Silverthorne seconded the motion, which carried by a roll call vote of 7-0, recorded as follows: In favor, Mayor Lederer and Councilmembers Cross, Greenfield, Lyon, Rasmussen, Silverthorne and Winter; opposed, none.

Appointments to boards and commissions.

Councilwoman Cross moved the reappointment of Gary K. Gill to the Commission on the Arts for a three-year term extending through December 31, 2006.

Councilman Silverthorne seconded the motion, which carried unanimously by voice vote.

Councilman Silverthorne moved the reappointment of Cathy Pumphrey and Paul Cunningham to the Planning Commission for two four-year terms extending through December 31, 2007.

Councilman Rasmussen seconded the motion, which carried unanimously by voice vote.

Councilmember Winter moved the appointment of David Berenbaum to the Planning Commission for the term ending December 31, 2006.

Councilman Greenfield seconded the motion, which carried unanimously by voice vote.

Councilman Rasmussen moved the appointment of Thomas Rathburn to the Planning Commission for the term extending through December 31, 2004.

Councilman Greenfield seconded the motion, which carried unanimously by voice vote.

Councilwoman Lyon moved the appointment of George Ashley and John J. Harold for terms extending through December 31, 2005 to the Fairfax County Domestic and Juvenile Relations Court Citizens Advisory Council.

Councilman Silverthorne seconded the motion, which carried unanimously by voice vote.

The Mayor requested that the vacancy for the Board of Zoning Appeals be advertised.

Councilman Greenfield moved the confirmation of the following appointments to the Metropolitan Washington Council of Governments:

Board of Directors.....	Mayor Lederer
Board of Directors Alternate.....	Councilman Greenfield
Transportation Planning Board	Mayor Lederer
Transportation Planning Board Alternate	Councilmember Winter
Metropolitan Washington Air Quality Committee	Councilmember Winter
Metropolitan Washington Air Quality Committee Alternate ..	Mayor Lederer
Metropolitan Development Policy	Councilman Greenfield
Human Services Policy Committee	Councilwoman Lyon
Human Services Policy Committee Alternate	Councilman Greenfield
Public Safety Policy Committee	Councilman Rasmussen
Public Safety Policy Committee Alternate	none
Noise Abatement and Aviation at National and Dulles	
Airports	Mayor Lederer
Chesapeake Bay Policy Committee	Councilman Silverthorne

Councilman Rasmussen seconded the motion, which carried unanimously by voice vote.

The Mayor stated there would be no action for appointment to the Industrial Development Authority (IDA) because of the consolidation of IDA and the Economic Development Authority.

Comments by City Council.

Councilmember Winter said she was concerned about the conditions for the crossing guard at Fairfax High School specifically, the lighted crosswalk not operating in the dark and in inclement weather.

The Mayor requested the City Manager to investigate the operation of the lighted crosswalk.

Councilmember Winter remarked on the free papers accumulating in residents' lawns and driveways. She suggested that residents who do not wish to receive papers call the organization to have the delivery discontinued.

Councilwoman Lyon requested the staff to invest in a cellular phone number with an area code of "703" for use during 911 failures.

Councilwoman Lyon said the pipe construction on Route 50 was scheduled to be finished approximately November and that citizens have been calling her regarding the rough roads.

City Manager Bob Sisson said that water pipe is more time consuming to install than sewer pipe and it has been a long project. He said the contractor will soon be finished but the asphalt work cannot be completed until spring when the weather breaks.

Councilwoman Lyon said that construction on a building near Route 123 is also effecting the road conditions.

City Manager Bob Sisson said he would find out the expected completion of the construction project.

Councilman Silverthorne said he sent the council members a memorandum outlining the framework for the Bicentennial celebrations for the City of Fairfax in 2005. He said that the staff estimated \$365,000 which included a First Night consultant position and part-time staff work for the year-long activities. He said he hoped funds could be raised to offset the costs. Additionally, he asked for the Council's consensus to request staff for funds required for this fiscal year and for staff to include a budget item for next year. All council members agreed.

Councilman Silverthorne thanked the council, staff and citizens for the kind words he received due to his recent gallbladder surgery.

Councilman Greenfield asked for council concurrence to direct staff to correspond with delegates expressing opposition to party affiliation.

Mayor Lederer said there is a strong consensus that the council is opposed to party affiliation. He also asked the staff, if they felt necessary, to hire a lobbyist to address the issue.

Councilman Greenfield said perhaps a lobbyist could assist with the tax restructuring plan, which could be detrimental to the City of Fairfax.

Councilman Silverthorne requested the Assistant City Manager, Vivian Baltz, to communicate with other organizations and legislators to voice their opposition to partisan politics.

Councilman Greenfield said with regard to the recent loss of communications due to a phone line being cut, that staff should explore wireless technology options.

Councilwoman Cross said The Fairfax Arts Center would hold a Grand Opening on January 23, 2004 and encouraged the public to attend.

Councilwoman Cross said that she would meet with Councilwoman Lyon on Friday (January 16, 2004) to evaluate the Festival of Lights and Carols and requested the public to share their comments by phone or email.

The Mayor announced the tentative budget meeting schedule: City Manager budget presentation, March 9; departmental presentations, March 16 and 17; public hearing / work session, March 23; off-site budget outreach meeting / public hearing, March 30; tentative work session, April 6; and, adoption, April 13.

The Mayor said that last Thursday (January 8, 2004) he attended a Community Outreach Meeting in the southeast community regarding traffic calming issues. He said about 150 people attended and he left with a positive feeling.

Regarding the upcoming elections, the Mayor suggested having two televised debates, one for the City Council and one for the School Board on channel 12. He also suggested it be as independent as possible, inviting various newspaper editors and finding an independent personality from a local television or radio station to serve as a moderator. The Mayor recommended discussing at a work session to formulate a policy.

The Mayor welcomed Mrs. Rutherford to the team.

Adjournment.

The meeting adjourned at 9:00 p.m.

Mayor

ATTEST:

City Clerk